

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on January 12, 2017 at 8:00 AM, in Room 137 Capitol

ROLL CALL

Members Present:

Rep. Alan Doane, Chair (R)
Rep. Seth Berglee, Vice Chair (R)
Rep. Virginia Court, Vice Chair (D)
Rep. Laurie Bishop (D)
Rep. Bob Brown (R)
Rep. Jennifer Eck (D)
Rep. Bill Harris (R)
Rep. Kathy Kelker (D)
Rep. Casey Knudsen (R)
Rep. Theresa Manzella (R)
Rep. Nate McConnell (D)
Rep. Shane A. Morigeau (D)
Rep. Dale Mortensen (R)
Rep. Zac Perry (D)
Rep. Matt Regier (R)
Rep. Lola Sheldon-Galloway (R)
Rep. Barry Usher (R)
Rep. Kirk Wagoner (R)

Members Excused:

Rep. Ellie Hill Smith (D)

Members Absent: None

Staff Present: Sara Fleming, Committee Secretary
Helen Thigpen, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 133, 1/6/2017; HB 165, 1/6/2017; HB 202, 1/6/2017

HEARING ON HB 202**Opening Statement by Sponsor:**

00:01:04 Rep. Kirk Wagoner (R), HD 75, opened the hearing on HB 202, Generally revise laws related to government employees and officers.

Proponents' Testimony:

00:14:01 Carol Bondy, Self

00:18:51 Derf Johnson, Montana Environmental Information Center (MEIC)

Opponents' Testimony:

00:20:09 Leo Gallagher, Lewis & Clark County Attorney

00:24:15 Jaime MacNaughton, Office of the Commissioner of Political Practices (COPP)

[**EXHIBIT\(juh09a01\)**](#)

00:28:06 Sheryl Wood, Montana Association of Counties (MACo)

Informational Testimony: None

Questions from Committee Members and Responses:

00:30:29 Rep. McConnell

00:31:28 Rep. Wagoner

00:32:36 Rep. McConnell

00:33:35 Rep. Wagoner

00:35:40 Rep. Kelker

00:36:18 Rep. Wagoner

00:40:05 Rep. Kelker

00:40:50 Rep. Wagoner

00:41:46 Rep. Manzella

00:42:25 Rep. Wagoner

[**EXHIBIT\(juh09a02\)**](#)

00:43:14 Rep. Manzella

00:43:59 Carol Bondy, Self

00:45:57 Rep. Harris

00:47:07 Rep. Wagoner

00:48:35 Rep. Harris

00:49:40 Rep. Wagoner

00:49:51 Rep. Bishop

00:50:51 Rep. Wagoner

00:54:19 Rep. Bishop

00:54:33 Rep. Wagoner

00:54:40 Rep. Usher

00:55:18 Rep. Wagoner

00:56:12 Rep. Morigeau

00:57:09 Rep. Wagoner

00:57:44 Rep. Eck

00:58:34 Leo Gallagher, Lewis & Clark County Attorney

00:59:29 Rep. Eck

01:00:09 Leo Gallagher, Lewis & Clark County Attorney

01:00:56 Rep. Eck
01:02:18 Rep. Wagoner
01:04:39 Rep. Eck
01:05:24 Rep. Wagoner
01:06:01 Chair Doane
01:06:10 Vice Chair Court
01:06:47 Rep. Wagoner
01:08:59 Vice Chair Court
01:09:50 Rep. Wagoner
01:10:59 Rep. Brown
01:11:55 Rep. Wagoner
01:12:16 Rep. Brown
01:12:38 Rep. Wagoner
01:13:29 Rep. Kelker
01:14:27 Rep. Wagoner
01:16:00 Rep. Usher
01:17:18 Jaime MacNaughton, COPP
01:17:31 Rep. Morigeau
01:18:26 Rep. Wagoner
01:18:39 Rep. Morigeau
01:18:57 Rep. Wagoner
01:19:02 Rep. Morigeau
01:19:24 Rep. Wagoner
01:20:04 Rep. Eck
01:20:38 Rep. Wagoner
01:21:19 Rep. Eck
01:21:28 Rep. Wagoner

Closing by Sponsor:

01:22:04 Rep. Wagoner

HEARING ON HB 165**Opening Statement by Sponsor:**

01:23:43 Rep. Greg Hertz (R), HD 12, opened the hearing on HB 165, Revise punitive damage laws.

[EXHIBIT\(juh09a03\)](#)

01:24:31 Rep. Hill Smith joined the meeting

Proponents' Testimony:

01:29:29 Mark Baker, Montana Chamber of Commerce
01:32:30 Aimee Grmoljez, Montana Bankers Association, Billings Clinic (MBA)

Opponents' Testimony:

01:35:00 Al Smith, Montana Trial Lawyers Association (MTLA)

[EXHIBIT\(juh09a04\)](#)

[EXHIBIT\(juh09a05\)](#)

[EXHIBIT\(juh09a06\)](#)

01:51:01 Jessie Luther, Montana Association of Clerks of District Court

Informational Testimony: None**Questions from Committee Members and Responses:**

01:54:02 Rep. C. Knudsen

01:54:45 Rep. Hertz

01:54:58 Rep. C. Knudsen

01:55:27 Rep. Hertz

Closing by Sponsor:

01:55:51 Rep. Hertz

01:58:21 Recess

02:05:10 Reconvene

HEARING ON HB 133**Opening Statement by Sponsor:**

02:05:30 Rep. Nate McConnell (D), HD 89, opened the hearing on HB 133, Generally revise sentencing laws.

Proponents' Testimony:

02:09:36 Sen. Swandal

02:12:14 Sen. Wolken

[EXHIBIT\(juh09a07\)](#)

02:14:34 Peter Ohman, Office of the Public Defender (OPD)

02:21:25 Mary Ann Wellbank, Self

[EXHIBIT\(juh09a08\)](#)

02:29:28 Kris Hanson, Self

02:35:40 Adrian Slaughter, Department of Corrections (DOC)

02:40:22 Sen. Cohenour

02:40:46 Paul Smietanka, Self

02:41:11 Brenda Erdelyi, Montana Sex Offender Treatment Association (MSOTA)

02:42:13 SK Rossi, American Civil Liberties Union (ACLU)

Opponents' Testimony:

02:42:42 Brad Griffin, Montana Retail Association (MRA)

02:48:34 Greg Mohr, Montana Magistrates Association (MMA)

02:53:14 Mary Ann Reis, Montana County Attorneys Association (MCAA)

02:58:25 Olivia Rieger, Montana County Attorneys Association (MCAA)

03:05:22 Leo Gallagher, Lewis & Clark County Attorney

03:09:31 Aimee Grmoljez, Montana Bankers Association (MBA), Montana Association of
Chemical Dependency Providers (MACP)
03:10:53 Amy Tenney, Boyd Andrew Community Services
03:12:25 Brenda Erdelyi, Montana Sex Offender Treatment Association (MSOTA)
03:13:46 Mark Murphy, Montana Chiefs of Police of Association (MACOP), Montana
Police Protective Association (MPPA)
03:14:19 Rebecca Sturdevant, Mothers Against Drunk Driving (MADD), Montana Common
Sense Coalition (MCSC)

EXHIBIT(juh09a09)

03:14:51 Dave Galt, Montana Sheriffs and Peace Officer Association (MSPOA)

Informational Testimony: None

Questions from Committee Members and Responses:

03:15:42 Rep. Morigeau
03:16:21 Peter Ohman, Office of the Public Defender, (OPD)
03:17:19 Rep. Kelker
03:17:55 Peter Ohman, OPD
03:18:27 Rep. Harris
03:20:12 Peter Ohman, OPD
03:21:28 Rep. C. Knudsen
03:21:59 Peter Ohman, OPD
03:22:54 Rep. Perry
03:23:19 Rep. McConnell
03:24:18 Rep. Kelker
03:24:58 Peter Ohman, OPD
03:25:30 Rep. Bishop
03:26:20 Brenda Erdelyi, MSOTA

Closing by Sponsor:

03:29:02 Rep. McConnell

Committee Business:

03:33:25 Chair Doane
03:34:04 Rep. McConnell
03:34:20 Helen Thigpen, Legislative Services Division (LSD)
03:35:14 Chair Doane

ADJOURNMENT

Adjournment: 03:36:02

Sara Fleming, Secretary

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Additional Documents:

EXHIBIT([juh09aad.pdf](#))